

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

ROBERT TODD O'LEARY BURNES,  
Plaintiff,

v.

McCARTHY BUILDING COMPANIES,  
INC.,  
Defendant.

No. 2:21-cv-0836 KJM DB PS

ORDER

Plaintiff Robert Todd O'Leary Burnes is proceeding in this action pro se. This matter was referred to the undersigned in accordance with Local Rule 302(c)(21) and 28 U.S.C. § 636(b)(1). Review of this matter finds that defendant has filed an answer.

Accordingly, IT IS HEREBY ORDERED that:

1. A Status (Pretrial Scheduling) Conference is set for **Friday, December 3, 2021, at 10:00 a.m.** at the United States District Court, 501 I Street, Sacramento, California, in Courtroom No. 27 before the undersigned<sup>1</sup>.

<sup>1</sup> Parties shall appear at the Status Conference either telephonically or over video conference through the Zoom application (which is free and must be downloaded to your computer or mobile device prior to the hearing). Parties proceeding in propria persona, on his or her own behalf, shall contact Pete Buzo, the courtroom deputy of the undersigned magistrate judge at (916) 930-4128, no sooner than 4 days prior to the noticed or continued hearing date but no later than 48 hours prior to the hearing, to arrange their appearance either telephonically or over video conference.

2. Plaintiff shall file and serve a status report on or before **November 19, 2021**, and defendant shall file and serve a status report on or before **November 26, 2021**. Each party's status report shall address all of the following matters:

- a. Progress of service of process;
- b. Possible joinder of additional parties;
- c. Possible amendment of the pleadings;
- d. Jurisdiction and venue;
- e. Anticipated motions and the scheduling thereof;
- f. Anticipated discovery and the scheduling thereof, including disclosure of expert witnesses;
- g. Future proceedings, including the setting of appropriate cut-off dates for discovery and for law and motion, and the scheduling of a final pretrial conference and trial;
- h. Modification of standard pretrial procedures specified by the rules due to the relative simplicity or complexity of the action;
- i. Whether the case is related to any other case, including matters in bankruptcy;
- j. Whether the parties will stipulate to the magistrate judge assigned to this matter acting as settlement judge, waiving any disqualification by virtue of her so acting, or whether they prefer to have a Settlement Conference before another magistrate judge;
- k. Whether the parties intend to consent to proceed before a United States Magistrate Judge; and
- l. Any other matters that may aid in the just and expeditious disposition of this action.

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Counsel will receive an email containing the necessary appearance information and must notify the courtroom deputy no later than 48 hours prior to the hearing to elect to appear either telephonically or over video conference. The Zoom ID Number and password are confidential and are not to be given to anyone. Persons granted remote access to these proceedings, whether by Zoom or by telephone, are reminded of the general prohibition against photographing, recording, and rebroadcasting of court proceedings. Violation of these prohibitions may result in sanctions, restricted entry to future hearings, denial of entry to future hearings, or any other sanctions deemed necessary by the court.

1           3. The parties are cautioned that failure to file a status report or failure to appear at the  
2 status conference may result in an order imposing an appropriate sanction. See Local Rules 110  
3 and 183.

4 DATED: October 19, 2021

/s/ DEBORAH BARNES  
UNITED STATES MAGISTRATE JUDGE